

UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION

RICHARD RIGGS

V.

LOWE'S COMPANIES, INC. AND  
SOURCE CAPITAL BACKYARD, LLC

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CIVIL ACTION NO. 4:15-CV-2135

**CROSS-PLAINTIFF SOURCE CAPITAL BACKYARD, LLC'S  
MOTION TO DISMISS FIRST AMENDED CROSS-CLAIM AGAINST  
CROSS-DEFENDANT LOWE'S HOME CENTERS, LLC WITHOUT PREJUDICE**

COMES NOW, Cross-Plaintiff Source Capital Backyard, LLC, files this Motion to Dismiss First Amended Cross-Claim against Cross-Defendant Lowe's Home Centers, LLC without Prejudice and would respectfully show the Court the following:

Cross-Plaintiff Source Capital Backyard, LLC, by and through its respective attorneys of record, announce that it no longer desires to prosecute its claims against Cross-Defendant Lowe's Home Centers, LLC.

WHEREFORE, PREMISES CONSIDERED, Cross-Plaintiff Source Capital Backyard, LLC, prays that this Court enter an Order of Dismissal filed contemporaneously herewith, dismissing without prejudice all claims which have been brought by Cross-Plaintiff Source Capital Backyard, LLC, against Cross-Defendant Lowe's Home Centers, LLC, upon the filing of this Motion.

Respectfully submitted,

**THE HUDGINS LAW FIRM  
A PROFESSIONAL CORPORATION**

By: \_\_\_\_\_

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**ATTORNEYS FOR CROSS-PLAINTIFF  
SOURCE CAPITAL BACKYARD, LLC**

**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the foregoing *Cross-Plaintiff's Motion to Dismiss First Amended Cross-Claim against Cross-Defendant Lowe's Home Centers, LLC without Prejudice* was forwarded to the following via PACER's electronic email:

Randall Sorrels  
Imrana Manzanares  
Abraham, Watkins, Nichols, Sorrel, Agosto & Friend  
800 Commerce Street  
Houston, Texas 77002

Paul Garcia  
Paul Garcia & Associates  
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San Antonio, Texas 78229

on the 19 day of January 2016.

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Donald M. Hudgins